

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Marcel LIMOUSIN and Guido GAGGINI

Title : **IMPROVED MANAGEMENT OF RESPIRATORY PAUSES
OR HYPOPNEA IN AN ACTIVE IMPLANTABLE
MEDICAL DEVICE OF THE CARDIAC PACEMAKER,
DEFIBRILLATOR, CARDIOVERTER, OR MULTISITE
DEVICE TYPE**

Serial No. : 10/693,833

Filed : October 24, 2003

Art Unit : 3762

Examiner : Stephanie R. Smith

Confirmation No. : 1007

Date of Action : August 15, 2007 - FINAL

Date: February 13, 2008

Via: USPTO EFS Web
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby **appeals** to the Board of Patent Appeals and Interferences from the patent examiner's FINAL Official Action dated August 15, 2007, rejecting claims 1-13 in the captioned patent application.

PATENT

Attorney Docket No. 8707-2165

168 – Apnee et PEA

Customer No.: 34313

Confirmation No.: 1007

Notice of Appeal re 8/15/07 Final OA

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 510.00

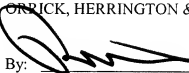
The fee for the request for an oral hearing \$ 1030.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore,
the fee shown above is reduced by half, and the resulting fee is: \$ 00.00
- ☐ A check in the amount of the fee is enclosed.
- ☐ The Commissioner has already been authorized to charge fees in this application to a
Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Commissioner is hereby authorized to charge \$1,540 and charge any deficiency in fees
which or credit any overpayment, as may be required, to Deposit Account No. 15-0665. I
have enclosed a duplicate copy of this sheet.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

I am the:

- ☐ Applicant.
- ☐ Assignee of record of the entire interest.
Certificate under 37 CFR 3.73(b) is enclosed.
- ☒ Attorney or agent of record.

Respectfully submitted,
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: 

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Dated: February 13, 2008

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